

UNITED STATES HOUSE OF REPRESENTATIVES  
COMMITTEE ON THE JUDICIARY  
SUBCOMMITTEE ON CRIME, TERRORISM AND HOMELAND SECURITY

*"Hearing on FBI Whistleblowers"*

WRITTEN STATEMENT FILED ON BEHALF OF FBI  
SUPERVISORY SPECIAL AGENT and UNIT CHIEF BASSEM YOUSSEF  
Submitted by Counsel for Mr. Youssef, Stephen M. Kohn

May 21, 2008

Chairman Robert C. Scott, Ranking Minority Member Louie Gohmert and Honorable Members of the Committee:

Thank you for the opportunity to submit a written statement on behalf of my client, Supervisory Special Agent Bassem Youssef, the Unit Chief in the Federal Bureau of Investigation's ("FBI") Counterterrorism Division's Communications Analysis Unit. The FBI provided Mr. Youssef with conditional permission to orally testify before this Committee in his personal capacity.

**SUMMARY**

- \* **The FBI's counterterrorism program cannot properly protect the United States from another catastrophic and direct attack from Middle Eastern terrorists.**
- \* **Currently the ITOS sections are inexcusably understaffed. Critical supervisory personnel within ITOS (which includes the Unit that tracks Al-Qaeda) staffing level is only 62% of its mandated Funded Staffing Level. This has forced the FBI to recruit supervisors into ITOS who lack the background and expertise necessary to direct America's most important law enforcement mission.**
- \* **The mismanagement of the FBI's Counterterrorism program has already resulted in the systemic and needless violation of the civil liberties of thousands of Americans, the misidentification of threats against the United States and repeated sloppy mistakes within the counterterrorism program.**
- \* **The continuing failure of the FBI to hire or train agents who are fluent in Arabic, knowledgeable about the Middle East and/or experienced in operational counterterrorism is rooted in two factors: First, an ongoing policy which does not reward these skills in the promotional process and Second, deep seated discriminatory practices within the Bureau.**
- \* **A full independent review of the counterterrorism program is badly needed. The review must be conducted by persons with unquestionable expertise in Middle Eastern terrorism.**

**RECEIVED**

MAY 20 2008

**Committee on the Judiciary**

## MR. YOUSSEF'S BACKGROUND AND EXPERIENCE

Within the FBI Mr. Youssef possesses unparalleled expertise and experience in Middle Eastern counterterrorism. Because of his fluency in Arabic and his extensive knowledge of Middle Eastern history and culture, Mr. Youssef was working major counterterrorism cases years before American law enforcement focused on Middle Eastern terrorists. Starting in 1988 Mr. Youssef was case agent on a major investigation related to the Abu Nidal Organization. See extensive documentation on Mr. Youssef posted on-line at [http://www.whistleblowers.org/html/inside\\_the\\_fbi.html](http://www.whistleblowers.org/html/inside_the_fbi.html)

Between January, 1993 and December, 1996 Mr. Youssef served as FBI coordinator for the counterterrorism (as opposed to the criminal) investigation of *al-gamaa al-islamiyah* [also known as the "Islamic Group"]. This group was responsible for the first World Trade Center bombing and was led by the "Blind Sheikh". The Blind Sheikh is Osama bin Laden's "spiritual leader." Mr. Youssef's highly effective work as coordinator was recognized by the entire U.S. intelligence community, and in 1994 Mr. Youssef was awarded the prestigious Director of Central Intelligence ("DCI") award based on his undercover work on *al-gamaa al-islamiyah*. Exhibit 1. The DCI documentation upon which the award was based stated:

*Utilizing to the maximum advantage his Middle Eastern background, and his inherent knowledge of that region's traditions, customs, and languages, SA BASSEM YOUSSEF has implemented these skills on a daily basis in furtherance of the FBI's primary mission of preventing terrorist acts which has benefited not only FBI Los Angeles, but also many other field divisions throughout the FBI who have periodically sought his valuable assistance. Since January, 1993, he has worked tirelessly to uncover and to continue to identify members of an international terrorist cell in Southern California, identify its associates throughout the United States and abroad, utilizing creative and relentless investigative initiative to accomplish this end. His constant efforts in developing and handling assets has resulted in much valuable personality assessment data on individual cell members, as well as information which defines the structure and modus operandi of this dangerous international terrorist group whose members are present throughout the U.S.*

In 1996 Mr. Youssef was appointed by former FBI Director Louis Freeh as the first FBI Legal Attaché in Riyadh, Saudi Arabia, with regional responsibility for all of the seven Gulf States (Kuwait, Qatar, Bahrain, United Arab Emirates, Oman and Yemen). With the unanimous consent of the responsible FBI managers, Mr. Youssef's assignment as the Legal Attaché in Riyadh was extended twice and he served in that capacity between 1996-2000. In 2000 his performance as Legat was subject to an FBI inspection. The inspection found:

- *Mr. Youssef "was successful in establishing an excellent relationship with the Mabath, the Saudi Arabian counterpart of the FBI . . . His efforts led to the establishment of direct communications with senior officials of the Mabath, which had previously been unavailable to any U.S. Embassy personnel."*

- *"His Arabic language ability greatly enhanced his effectiveness . . . . Ambassador Wyche Fowler called Legat Youssef a superior representative for the FBI, and noted that he was 'just the right man' for this position."*
- *"Major General Abdul Aziz Al-Huwairini, Director of Liaison, Mabathith, indicated that the FBI was the only western law enforcement agency having direct liaison with his office, and characterized the relationship with the FBI as exceptional. General Al-Huwairini commented that the Minister of the Interior had instructed him to cooperate fully with the Legat office."*
- *"In addition to the liaison contacts in Saudi Arabia Legat Youssef developed an impressive liaison base of prominent law enforcement officials in the Legat territory. These included the Director of the Abu Dhabi Police, the Commandant General of the Dubai Police Force and the Director of State Security for the UAE; the Director of Kuwait State Security . . . and the Director General of the Bahraini Criminal Investigative Directorate."*
- *"Sheikh Mashal Al-Jarrah Al Sabbaah, Director of the KSS [Kuwait State Security], characterized his relationship with the FBI as 'strong' and 'built upon mutual trust.' The Sheikh referred to the Legat as one of his trusted advisors."*

See Exhibit 2. This document can be viewed in its entirety online at:  
[http://www.whistleblowers.org/FBI\\_Riyadh\\_Inspection\\_Report.pdf](http://www.whistleblowers.org/FBI_Riyadh_Inspection_Report.pdf)

In addition to the findings of the internal Inspection Report, Mr. Youssef's formal performance review also documented his exceptional performance in Saudi Arabia. Exhibit 3. Youssef Performance Review (May, 2000).

While most Americans were completely unaware of the threat to the United States from Osama bin Laden and those associated with him, Mr. Youssef commenced his investigation into the organization responsible for the first World Trade Center bombing *before* the 1993 attack and obtained the key intelligence used by the FBI to obtain FISA on the mastermind behind the first World Trade Center bombing. Mr. Youssef was extensively involved in investigatory and liaison work related to Bin Laden during his work as Legat. In 2000 the FBI inspector reviewing Mr. Youssef's highly successful work in Saudi Arabia recognized that Mr. Youssef was aware of the threat posed to America by bin Laden, and noted that Mr. Youssef was "preoccupied with Bin Laden's current status and whereabouts."

Upon returning to the United States he was appointed the Chief of the Executive Secretariat Office for the National Counterintelligence Center ("NACIC") and worked at CIA headquarters in Langley, Virginia for two years. In 2003 he was selected as the first Chief of the FBI's Document Exploitation Unit. He was laterally transferred into his current position as Chief of the Counterterrorism Division's Communication's Analysis Unit in early 2005.

Mr. Youssef has an exemplary employment record. He has never been disciplined and has never had a bad performance review. His most recent performance review "cleared" for public release is attached as Exhibit 4. He received a rating of "excellent."

### **FBI MISTAKES WITHIN ITS COUNTERTERRORISM PROGRAM DIRECTLY THREATEN NATIONAL SECURITY AND THE PUBLIC SAFETY**

Mr. Youssef is gravely concerned that significant FBI policy and operational mistakes within its counterterrorism program threaten America's national security and public safety.<sup>1</sup> These concerns include the following:

1. *FBI currently has failed to properly staff the most important operational sections in combating Middle Eastern terrorists, including Al Qaeda.* Today, critical supervisory positions within the International Terrorism Operations Section ("ITOS") 1 (which includes *al Qaeda*) is staffed only at a level of 62% of its Fulltime Staffing Level for critical supervisory personnel. The fact that the program is dangerously understaffed was confirmed in an email sent to all counterterrorism employees at FBIHQ on March 5, 2008. The email states "Executive management is canvassing the division for volunteers (GS 14 supervisory special agents) to be permanently reassigned to ITOS 1. This is due to the fact that ITOS 1 is currently at 62% of its funded staffing level. It is critical to the CT mission that these positions be filled as soon as possible";
2. *The FBI recruits supervisors into the critical ITOS units who have no experience in counterterrorism and who did not even want to work in these positions.* In other words, the failure of the FBI to build a cadre of experts in Middle Eastern terrorism – as promised immediately after the 9/11 attacks – has resulted in critical personnel shortages and lapses in competence within the most important FBI positions concerning Middle Eastern terrorist threats. The fact that ITOS supervisors are recruited and installed into their positions is reflected in an email sent by the Communications Exploitation Section dated April 16, 2007. It states as follows: "CTD's Continuing Education and Development Unit is hosting a conference next week at LX1 to train the new ITOS supervisors (for those of you who don't know, approximately 12 SSAs from Quantico were transferred to work in ITOS 1 and this training is to help them get to know CT investigations). . . . We plan to show the video and have a short question and answer period following the video;"
3. *The FBI policy to promote individuals to its upper management positions who have no comprehension of the Arabic language has resulted in the agency's failure to have a management capable of responding to real time potential threats or opportunities.* The

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<sup>1</sup> Many of these concerns were set forth in non-classified testimony Mr. Youssef provided to the Department of Justice Office of Inspector General. Pursuant to an agreement between the Inspector General and Mr. Youssef's counsel, these allegations can be presented to the U.S. Congress. Other concerns are based on information released in other non-classified proceedings, depositions and documents obtained by counsel for Mr. Youssef.

over-dependency on translators can (and does) delay responses to situations which are time critical;

4. *The over-reliance upon translators within the counterterrorism program has undermined the ability of agents to properly understand, monitor, and evaluate threats.* In other words, subtle messages and information not capable of ready translation or that which would be obvious to a native speaker who is simultaneously involved in operational activities are regularly lost;
5. *The FBI is not capable of properly exploiting its potential to develop strategic source recruitment.* In this regard, Mr. Youssef has unique background and experience (with a high degree of success) in the recruitment of highly valuable sources for targeting against Middle Eastern terrorist groups. These recruitments should constitute the backbone of a successful counterterrorism program. The FBI not only lacks the expertise to exploit these opportunities, but also has no policy whatsoever to put into place agents capable of performing this critical function. The failure to recruit well placed sources into terrorist organizations is perhaps the single largest threat to national security. Mr. Youssef is prepared to testify to these matters as well as testify as to how the failure of the FBI to understand the importance of such human sources resulted in the loss of critical intelligence needed to win the war on terror;
6. *Misidentification of threats:* Mr. Youssef is prepared to testify about the FBI's irresponsible misidentification of threats and provide testimony concerning the root causes of these misidentifications;
7. *The FBI's policy that its agents, ITOS supervisors and counterterrorism managers do not need subject matter expertise in Middle Eastern counterterrorism is indefensible and counterproductive.* In making promotional decisions within the counterterrorism division, the Director of the FBI testified that (a) knowledge of Arabic is not needed; (b) knowledge of Middle Eastern culture and history is not needed; (c) subject matter expertise Middle Eastern counterterrorism is not needed; and (d) experience in any counterterrorism program is not needed. Other high-ranking managers within the FBI confirmed this testimony. The policy has completely undermined the ability of the FBI to recruit and retain agents to perform absolutely critical positions within ITOS.<sup>2</sup>
8. *Over-reliance upon technology:* Because of the lack of human sources, the FBI depends on technologies that have the potential of undermining American civil liberties. Agents have simply adopted electronic surveillance practices from the criminal side of the Bureau into the counterterrorism side, without first having a solid intelligence base. Without having a management and agent cadre with *extensive* expertise and skills

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<sup>2</sup> (See, Supporting Documents 7, 6/17/05 Letter from Steve Kohn, and 8, 6/20/05 Follow-up letter, email links to letters from Stephen Kohn to Senators Specter, Leahy, and Grassley, which include excerpts from the testimony of FBI Director Mueller, former EAD Gary Bald, former EAD Dale Watson, FBI representative on post-9/11 promotional requirements for CTD (Pikus), and former DAD John Lewis). These letters can be viewed in their entirety at <http://www.whistleblowers.org/SpecterLetter.pdf> and at [http://www.whistleblowers.org/Specter\\_2June\\_20.pdf](http://www.whistleblowers.org/Specter_2June_20.pdf)

(including language skills and knowledge of cultural mores), the Bureau will continue to fall back on an overuse of technology and continue to monitor American citizens without proper justification and without necessity;

9. *Failure to properly analyze information obtained:* Specifically, Mr. Youssef can testify to incidents related to agents not properly trained in counterterrorism that overlooked critical facts related to the identification of a potential threat;
10. *Continuous promotion of individuals who lack the qualifications to effectively manage the Middle Eastern counterterrorism program;*
11. *Failure to establish an internal mechanism to audit the effectiveness of the counterterrorism program.* The Inspection Division does not have the ability to properly inspect the Middle Eastern counterterrorism program, as it has not assigned inspectors qualified to properly assess the deficiencies of that program. The FBI regularly assigns inspectors within non-counterterrorism backgrounds (such as inspectors who work in public affairs and the Criminal Division) to review Middle Eastern counterterrorism programs. A serious counterterrorism program must be the subject of inspection by highly qualified and skilled counterterrorism experts. However, the FBI's policy that such expertise is not needed within its management ranks has also undermined its view of the inspection program, its recruitment, training and promotion of inspectors qualified to understand the subtle (or not so subtle) deficiencies which can undermine the effectiveness of a program;
12. *Failure to comprehend or properly process the Arabic language after translation.* FBI managers rely exclusively on translation services to comprehend communications made by targets in Middle Eastern terrorist operations in their native language. The agents and managers continue to make major mistakes based on their lack of expertise in the Arabic language. This is highlighted by *basic* errors, such as the failure to understand *names*. Middle Easterners often have multiple names.
13. *Failure to recruit sufficient numbers of Arab-American agents into the FBI.* The FBI's discriminatory policies have undercut its ability to recruit Arab-American agents into the FBI. For example, Mr. Youssef was *twice* approached by managers responsible for new agent recruitment and asked to assist in the recruitment of Arab-American agents. On both occasions Mr. Youssef agreed to assist in these recruitment agents; however, because of the ongoing discrimination concerns within the FBI, it appears as if the FBI decided against using Mr. Youssef's services to assist in this process;
14. *Failure to Facilitate Liaison with Critical Middle Eastern Intelligence Agencies:* In 1996, former Director, Louis Freeh, selected Mr. Youssef to establish the FBI's Legal Attaché office in Riyadh, Kingdom of Saudi Arabia. This office had regional responsibility for all FBI matters in the Gulf region which included the following countries: Saudi Arabia, Kuwait, Qatar, Bahrain, United Arab Emirates, Oman and Yemen. Mr. Youssef served as the first Legal Attaché in Riyadh for four years, and established a track record of highly successful liaison with our Middle Eastern partners

unparalleled in *any* of our intelligence agencies. This exceptional liaison paid huge tangible dividends evidenced by the increase in the Saudi lead response from 15% to nearly 95% during Mr. Youssef's tenure as LEGAT Riyadh. Despite having established spectacular liaison with His Royal Highness, Prince Naif bin Abdel Aziz, Saudi Arabia's Minister of Interior, and his counter-parts in the Mabathith, after the retaliation Mr. Youssef was blocked from performing any liaison work with our Middle Eastern partners. The failure to utilize Mr. Youssef's skills and services in performing critical liaison activities has undermined vital U.S. security interests;

15. *Failure to Conduct Polygraph Examinations of Key Potential Sources in Arabic.* The effective use of polygraph examinations plays an instrumental role in vetting potential sources and in identifying potential "recruitments in place" within Middle Eastern terrorist organizations. It is well established that using a translator as a surrogate to conduct such polygraphs undermines the effectiveness of the examination and increases the chance of false-positive and false-negative results in the examination process. Moreover, prior to 9/11, the experiences within the FBI demonstrated that utilization of a polygraph-certified Arabic speaking to conduct such interrogations resulted in the FBI's ability to obtain critically needed human intelligence and assets necessary for a successful counterterrorism program. After Mr. Mueller became Director of the FBI, the FBI stopped using Arabic speaking agents to conduct polygraphs. In this regard, Mr. Youssef's specific requests to use his skills in these areas have been explicitly blocked or rejected;
16. *Over a year before the recent Inspector General investigation into the FBI's use of National Security Letters ("NSL"), Mr. Youssef identified serious problems with the FBI's handling of such letters.* Because of the hostile atmosphere within the FBI and the profound lack of subject matter expertise within the FBI's Counterterrorism Division, the Bureau could not properly respond to Mr. Youssef's inquiries and requests. The FBI refused to take necessary corrective actions until the OIG published its own critique of the program.

### **National Security Letters**

In December, 2004/January, 2005 Mr. Youssef was appointed into his current position, Chief of the Counterterrorism Division's Communications Analysis Unit ("CAU"). This Unit has responsibility for processing requests for information from the FBI's counterterrorism operational units to various telephone companies. These searches are often conducted by use of National Security Letters ("NSLs"). After becoming the Chief of CAU Mr. Youssef learned that the FBI had both a written policy and practice of conducting searches of phone records without the issuance of an NSL. This practice violated various safeguards in the Patriot Act, and the FBI's misconduct in this matter has been confirmed in two previously published Inspector General reports. See OIG Reports posted on-line at [http://www.whistleblowers.org/IGReport\\_on\\_Use\\_of\\_Nat\\_Sec\\_Letters.pdf](http://www.whistleblowers.org/IGReport_on_Use_of_Nat_Sec_Letters.pdf). Currently there is a joint FBI-Inspector General investigation ongoing into the NSL matter. Mr. Youssef provided seven days of testimony as part of these reviews.

Mr. Youssef's efforts to call attention to the NSL problems, and fix those problems, are well documented. They include the following: Aggressive steps to obtain the list of all improper searches and compel the FBI to issue proper NSL requests for the information; meetings with representatives from ITOS and General Counsel in order to stop the improper practices and obtain assistance on having NSLs issued concerning prior searches; re-writing the NSL policy in order to ensure that it complied with the law; instructing his staff to request information from the telephone companies only if there was a proper NSL or a true emergency circumstance; and, effectively halting the practice of using "exigent letters" to obtain telephone records *before* the Inspector General commenced its investigation.

Mr. Youssef's supervisors within the Counterterrorism Division clearly recognized his achievements in helping to fix the NSL problem. First, his Unit was formally inspected in January, 2007. His Unit "passed" the inspection with the highest rating of "effective and efficient." Second, on January 7, 2007 the Deputy Assistant Director for Counterterrorism signed Mr. Youssef's annual performance review. Mr. Youssef was rated "outstanding" or "excellent" in every performance category. In the narrative write-up Mr. Youssef's managers recognized his efforts in fixing the NSL problems and wrote:

**Unit Chief Bassem Youssef has performed in an overall excellent manner. His decision making, oral communication and ability to maintain a high level of professionalism during extreme operational circumstances have been outstanding.**

Exhibit 4, Youssef Performance Appraisal Report dated January 7, 2007. A copy of this review is posted on-line at the end of the following web page:  
[http://www.whistleblowers.org/html/inside\\_the\\_fbi.html](http://www.whistleblowers.org/html/inside_the_fbi.html)

Finally, the Assistant Director for the Counterterrorism Division (Mr. Youssef's fourth line supervisor) personally praised Mr. Youssef's actions in attempting to fix the NSL matter. In a personal email to Mr. Youssef, the Assistant Director wrote: **"Bassem – thank you for all your efforts to ensure CTD is totally compliant. I very much appreciate all you are doing."**  
Exhibit 5, Email from Assistant Director to Youssef (January 31, 2007).

## **DISCRIMINATION AND RETALIATION IN THE FBI**

The FBI has little experience or expertise within the Arab community. Underlying discriminatory attitudes, combined with the FBI cultural mantra "Thou Shall Not Embarrass the Bureau," combine to make the recruitment, retention and promotion of Arab American agents a very difficult task within the FBI.

The existence and negative impact of these factors are evident in the treatment Mr. Youssef has faced within the FBI. Much of this simply had to do with Mr. Youssef's name. In the very early 1990's, when Mr. Youssef's career took-off, Mr. Youssef was not known within the FBI by his name. Specifically, given the dangerous and highly secret nature of his work, the Attorney General approved FBI credentials for Mr. Youssef in another name: Adam Shoukry. In other words, within the FBI Mr. Youssef was not known as Bassem Youssef – he was known



as Adam Shoukry. He obtained FBI certificates in that name and his supervisors called him Adam. Only a small handful of personnel within the FBI knew his real name.

In 1996 when Mr. Youssef was promoted and became the first Legal Attaché in Riyadh, Saudi Arabia, he reverted back to using his real name. However, while working in the Middle East, that name did not have any negative ramifications.

When he returned to the United States in 2000 he kept using his real name, Mr. Bassem Youssef. That's when his problems within the FBI commenced. Based on prejudice and ignorance, high ranking managers within the FBI confused Mr. Youssef with another FBI agent with an Arabic sounding name, Mr. Gamal Abdel Hafiz. In other words, high ranking (and low ranking) FBI employees actually thought Mr. Youssef was Mr. Abdel Hafiz. This confusion not only constitutes a window into the depth of the problems facing the FBI in efforts to conduct effective operations against Middle Eastern subjects (i.e. the failure to keep basic names straight), but it directly harmed Mr. Youssef. Mr. Youssef, whose service to the nation was recognized by the Director of the CIA, and directly praised by former FBI Director Louis Freh - was confused with another agent who had refused to conduct a terrorism operation due to his Muslim beliefs. Mr. Youssef (a Christian, not a Muslim), *never* refused to participate in a terrorism related operation, and regularly placed himself in harm's way conducting undercover operations. No high ranking official was ever held accountable for these confusions, nor have proper steps been taken to educate agents involved in Middle Eastern issues related to name identification and the potential harmful impact of confusing a name or not understanding the potential relationship of the name of other factors.

After the September 11<sup>th</sup> terrorist attacks, Mr. Youssef met directly with FBI Director Robert Mueller and Congressman Frank Wolf and raised concerns regarding discrimination against Arab Americans within the FBI and the failure of the FBI to utilize agents with Arabic language skills and expertise in Middle Eastern counterterrorism post-9/11. According to a report issued by the U.S. Department of Justice Office of Professional Responsibility, evidence existed to support a finding that FBI managers illegally retaliated against Mr. Youssef for raising these concerns with the Director. The OPR report can be reviewed on-line at [http://www.whistleblowers.org/order\\_and\\_OPR\\_report.pdf](http://www.whistleblowers.org/order_and_OPR_report.pdf).

### **PRIOR PRECEDENT FOR INDEPENDENT EXPERT REVIEW**

There are striking parallels between the current case of Mr. Youssef and the prior case of Dr. Frederic Whitehurst. In the 1990's the FBI laboratory was managed by persons with no expertise in science. Dr. Whitehurst, a scientific expert working in the crime lab, raised concerns ranging from contamination to the lack of quality control. After these concerns were publicly disclosed, the Attorney General stepped in and ensured that the lab would be independently reviewed by a team of five subject matter experts. The result was real reform: The FBI was required to hire a subject matter expert as Director of the Lab, the Lab was required to undergo an outside accreditation process, and numerous scientific reforms were mandated.

The same process must occur within the FBI's Counterterrorism Division. Currently, the OIG is conducting a *joint* investigation with the FBI of the FBI's use of National Security Letters. This investigation could become a critical tool in reforming the FBI's counterterrorism program. However, if the FBI remains involved in the review and the review fails to focus on identifying the root causes of the problems within the FBI's entire counterterrorism program (through use of outside experts), an opportunity to truly reform the counterterrorism program will be lost.

## CONCLUSION

It is very important to state that Mr. Youssef strongly believes that the vast majority of FBI agents employed in the counterterrorism areas are dedicated, honest, and hard working civil servants. But their ability to serve and protect the United States is undermined by policies which lead to major errors in the war on terror; thus, resulting in the failure of the FBI to detect and correct both systemic deficiencies and specific failures within the counterterrorism program.

All attempts to correct these problems identified by Mr. Youssef within the existing FBI and DOJ channels have not been successful. Only the active participation of Congress – and its leadership and insistence that the FBI do its job to the best of its ability, will better ensure that America will be safe from another successful terrorist attack. The following actions need to be taken:

1. Congress must insist that the specific problems identified by Mr. Youssef be immediately reviewed and corrected. Time is of the essence, based on the real threat to American democracy by Middle Eastern terrorist groups;
2. A careful review of the current FBI's counterterrorism program must be conducted by nationally respected experts in terrorism;
3. The ongoing Inspector General investigation into the National Security Letter violations must be expanded to include a full root cause analysis. Moreover, the current investigation into the FBI's abuses of NSLs is actually a *joint* FBI-IG review. The FBI should have no role whatsoever in this oversight process;
4. The FBI must be ordered to take immediate action to encourage the recruitment and promotion of Arab Americans into the FBI. This would include making knowledge of the Arabic language, culture and history part of the formal promotional criteria within the counterterrorism program.

5. The FBI must be ordered to immediately make knowledge of and a demonstrated *successful* experience in operational Middle Eastern-related counterterrorism as a requirement for promotion into upper management levels which have supervisory responsibility for Middle Eastern terrorist-related programs.

Respectfully submitted,

/s/

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#### DISCLAIMER

The disclosures set forth in this statement are protected under 5 U.S.C. 7211 and Title VII of the Civil Rights Act of 1964. The FBI's letter permitting Mr. Youssef to testify before the Committee is attached as Exhibit 6. The FBI has required Mr. Youssef to take annual leave in order to appear before the Committee. In accordance with a non-disclosure agreement executed by Counsel for Mr. Youssef and the Department of Justice Office of Inspector General, Mr. Youssef's Counsel was permitted to disclose to Congress information obtained as a result of Counsel's participation in five days of testimony provided to the Inspector General by Mr. Youssef. The opinions expressed by Mr. Youssef during his testimony do not represent the official position of the FBI.



Mr. Youssef's attorney Stephen M. Kohn is also the President of the National Whistleblower Center ([www.whistleblowers.org](http://www.whistleblowers.org) and [www.whistleblowersblog.org](http://www.whistleblowersblog.org)) and a partner in the Washington, D.C. law firm of Kohn, Kohn & Colapinto, LLP ([www.kkc.com](http://www.kkc.com)). He is the author or co-author of six books on whistleblower law, including *Whistleblower Law* (Praeger, 2004) and *The Whistleblower Litigation Handbook* (Weily Legal Publishing, 1990). Since 1984 Mr. Kohn has specialized in representing employee whistleblowers, including numerous FBI employees such as Supervisory Special Agent Dr. Frederic Whitehurst (crime lab scandal), Special Agent Jane Turner (theft from Ground Zero), Sibel Edmonds (translation scandal) and Unit Chief John Roberts (OPR misconduct).

**EXHIBIT 1**

**DCI AWARD**

**[APPROVED BY DIRECTOR OF CENTRAL  
INTELLIGENCE AGENCY, 11.30.94]**

ORIGINAL ~~SECRET~~

## RECOMMENDATION FOR INTELLIGENCE COMMUNITY AWARD

(Submit 15 copies with description of performance or service warranting award; bio profile; and unclassified photo)

1. NAME OF PERSON RECOMMENDED (Last, First, Middle) <b>YOUSSEF, BASSEM</b>		2. SOCIAL SECURITY NO.	3. GRADE/RANK <b>GS-13</b>
4. YOB <b>1958</b>	5. PARENT ORGANIZATION <b>FBI</b>	6. TITLE/PLACE OF ASSIGNMENT DURING AWARD PERIOD <b>SPECIAL AGENT LOS ANGELES</b>	
7. RECOMMENDED AWARD <i>see page 2 - NIMDA</i> <b>NATIONAL INTELLIGENCE DISTINGUISHED SERVICE MEDAL SEE BLOCK #19</b>		8. INCLUSIVE DATES FOR WHICH RECOMMENDED <b>JANUARY 1993 - APRIL 1994</b>	
9. IF RETIRING, DATE OF RETIREMENT <b>N/A</b>		10. HOME ADDRESS <b>P.O. BOX 241871 LOS ANGELES, 90024</b>	11. TELEPHONE OFFICE: 310-477-656 HOME: 818-545-903
12. HAS NOMINEE RECEIVED OR BEEN RECOMMENDED FOR ANOTHER AWARD FOR THIS SERVICE OR ACT? Yes: <input checked="" type="checkbox"/> If so, indicate award <b>DSI</b> No: <input type="checkbox"/>			
13. TITLE AND SIGNATURE OF INDIVIDUAL MAKING RECOMMENDATION <b>COREY W. HART, SUPERVISORY SPECIAL AGENT, LAFO</b> <i>SSA Corey W. Hart</i> <b>EDWARD J. CURRAN, ASAC, Edward J. Curran</b>		14. DATE <b>4/13/94</b> <b>5/14/94</b>	
15. TITLE AND SIGNATURE OF HEAD OF INTELLIGENCE ORGANIZATION MAKING RECOMMENDATION <b>ROBERT M. BRYANT, ASSISTANT DIRECTOR, NATIONAL SECURITY DIVISION</b> <i>Robert M. Bryant RRB</i>		16. DATE <b>10/14/94</b>	
17. TITLE AND SIGNATURE OF HEAD OF NOMINEE'S PARENT ORGANIZATION (if other than recommender) <i>Samuel T. ...</i>		18. DATE <b>10/14/94</b>	
19. REPORT OF INTELLIGENCE COMMUNITY AWARDS REVIEW PANEL The Intelligence Community Awards Review Panel, having considered the foregoing recommendation on: <b>08 NOV 1994</b> <input type="checkbox"/> recommends approval <input type="checkbox"/> does not recommend approval <input checked="" type="checkbox"/> recommends award of <b>National Intelligence Certificate of Distinction</b>			
20. THE RECOMMENDATION IN SECTION 19 IS APPROVED: <i>William O. Anderson</i> <b>W.O. Anderson</b> <b>11/30/94</b> <b>DATE</b> <b>BEST COPY</b>			

FORM 4239 055 ETE PREVIOUS  
8-97 EDITIONSDATE: **8/9/04**CLASSIFIED BY: **60671 ucl/NLS/Bautin**REASON: 1.4 (C) **8/9/2029**DECLASSIFY ON: **03-220**SEE ADDENDUM (INTD) PAGE(S) **2**ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE.~~SECRET~~

00004576

~~SECRET~~

Airtel from SAC, Los Angeles to Director, FBI, dated 5/4/94  
 Re: INTELLIGENCE COMMUNITY AWARDS PROGRAM (ICARP)  
 FOREIGN COUNTERINTELLIGENCE (FCI) PROGRAM

ADDENDUM: NATIONAL SECURITY DIVISION (NSD) RAP/rap. 10/13/94

By airtel dated 5/4/94, SAC Los Angeles nominated Special Agent (SA) Bassem Youssef for the National Intelligence Distinguished Service Medal.

Upon review of Los Angeles' ICARP nomination, the NSD recommends that the National Intelligence Medal of Achievement (NIMO) be awarded to SA Bassem Youssef. The NIMO award more appropriately recognizes SA Youssef's meritorious conduct in the performance of outstanding service to the Intelligence Community.

APPROVED:	Crim. Inv.	Laboratory	Off. of EEO
	Crim. Inv. Info.	Legal Counsel	Affairs
	Servs.	National Sec.	Off. of Public
	Finance	Personnel	& Com. Affs.
	Info. Res.	Training	
Director	Inspection		
Deputy Director			

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This communication is classified "Secret" in its entirety.

Due to his Middle Eastern background and his inherent knowledge of that region's traditions, customs, and languages Special Agent (SA) YOUSSEF has on a daily basis assisted other SAs with interviews of Arab individuals as well as reviews of Arabic language documents which greatly contribute to the efficacy of these International Terrorism (IT) investigations. Also SA YOUSSEF has assisted other field divisions with similar needs, and in one instance, assisted FBI Minneapolis with the interview of a potential drug source and was subsequently commended in writing by SAC, Minneapolis. During the past year, SA YOUSSEF has tirelessly worked to uncover and continue to identify the members of the Islamic Group (IG) in Southern California, as well as identified its associates in other field divisions and countries, and apprising appropriate FBI offices of their presence. In connection with these investigations SA YOUSSEF has submitted two FISA court applications to FBIHQ, which has resulted in sophisticated coverage of members of the local international terrorist cell and expanded the knowledge regarding its local structure and activities of some of its members. In order to achieve these results, SA YOUSSEF has worked diligently and dedicated long and irregular hours beyond what is normally required to achieve these accomplishments to date. Also, SA YOUSSEF is routinely contacted by supervisors and analysts at FBIHQ as well as field agents in other offices in order to gain his insight into these important and sometimes complex investigations.

(S) SA YOUSSEF has shown creativity and relentless initiative in pursuing his international terrorism cases and as an example has, as a result of numerous pretext telephone calls in the Arabic language, obtained valuable information which otherwise would not have been elicited. As a direct result of his relentless investigative efforts, FBI Los Angeles has more than [REDACTED] IG cases pending which is a significant step in identifying the local IG's network which has the potential for committing terrorist acts anywhere in the U.S. comparable to the 2/26/93 bombing of the World Trade Center, New York, New York. A

On several occasions, SA YOUSSEF has conducted briefings to senior representatives of the Los Angeles Police Department, Los Angeles Sheriff's Department, and U.S. Secret Service, all of whom have personnel assigned to the Los Angeles Task Force on Terrorism and are periodically briefed regarding significant investigations. Also, during February, 1994,

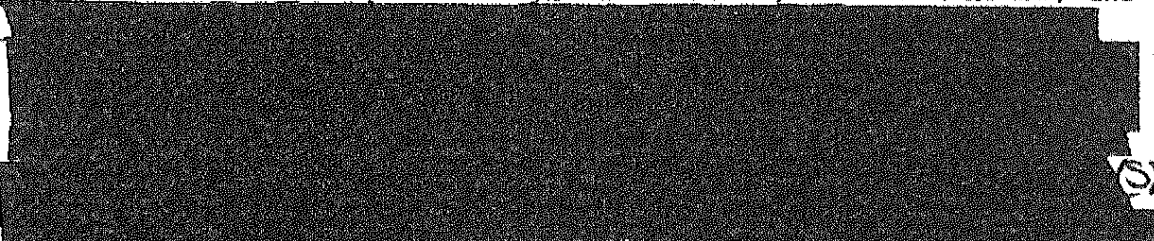

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SA YOUSSEF attended an international terrorism in-service comprised of approximately 150 Special Agents, and at this meeting presented a lecture regarding the IG which was the primary focus of the in-service. In both these instances SA YOUSSEF's briefings were very informative and of great benefit to the audience in understanding what is now seen as the latest international terrorist threat to U.S. interests here and abroad.

Furthermore, SA YOUSSEF has developed assets who have provided significant information which has very much assisted in the furtherance of international terrorism investigations which do not only impact FBI Los Angeles, but many field offices throughout the FBI. His efforts in developing and maintaining assets has resulted in much valuable personality assessment information on individual subjects, as well as information which further defines the structure and modus operandi of the IG with a documented presence in the U.S. Also, SA YOUSSEF has used creative efforts to develop valuable sources, and one such example is his attempts through much effort, odd work hours, and

 In the (S)  
interim, his contacts with asset have provided valuable intelligence information regarding the IG on a timely basis. In furtherance of this sensitive operation oftentimes SA YOUSSEF has been required to work late into the night and/or early morning in order to establish contact with asset who is located  His perseverance and (S)  
creativity during the conduct of this operation to date are very noteworthy and supported by FBIHQ in addition to the FBI Los Angeles management hierarchy.

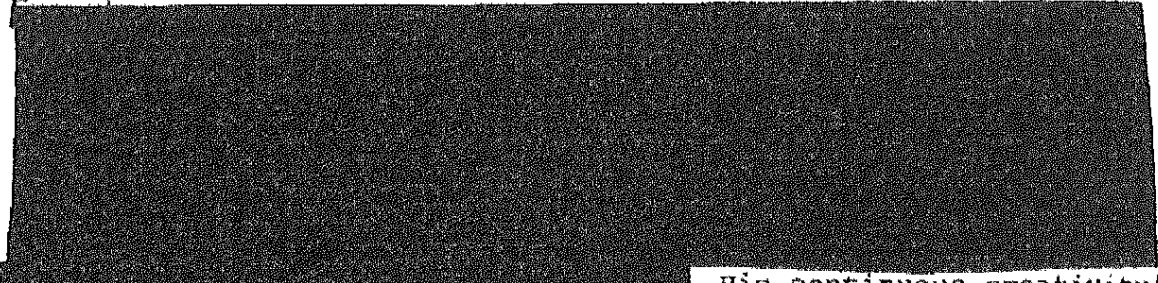
Due to his continuous, conscientious, innovative and resourceful efforts, SA YOUSSEF is recommended for consideration for the National Intelligence Distinguished Service Medal.

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Utilizing to the maximum advantage his Middle Eastern background, and his inherent knowledge of that region's traditions, customs, and languages, SA BASSEM YOUSSEF has implemented these skills on a daily basis in furtherance of the FBI's primary mission of preventing terrorist acts which has benefitted not only FBI, Los Angeles, but also many other field divisions throughout the FBI who have periodically sought his valuable assistance. Since January, 1993, he has worked tirelessly to uncover and to continue to identify members of an international terrorist cell in Southern California, as well as to identify its associates throughout the United States and abroad, utilizing creative and relentless investigative initiative to accomplish this end. His constant efforts in developing and handling assets has resulted in much valuable personality assessment data on individual cell members, as well as information which defines the structure and modus operandi of this dangerous international terrorist group whose members are present throughout the U.S. On one such case he has attempted to

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His continuous creativity (S) and perseverance during the conduct of this complex, international operation have been very noteworthy and deserving of special recognition due to his constant resourceful efforts in support of the FBI's primary counterterrorism mission of preventing acts of terrorism.

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EXHIBIT 2

INSPECTION OF BASSEM YOUSSEF'S  
PERFORMANCE AS RIYADH LEGAT,  
1997-2000

[EXCERPTS FROM FBI INSPECTION REPORT]

UNCLASSIFIED

## INSPECTION SUMMARY

The Office of Legat, Riyadh, became operational on 02/28/1997, as a result of the November 1995 and June 1996 bombings in Riyadh and Dhahran, Saudi Arabia. Previously, Legat, Rome, had territorial responsibilities for Saudi Arabia and the Persian Gulf region. Initially, Saudi Arabia was the only country within Legat, Riyadh's, territorial responsibility, however, due to the proximity and the need for continuity in Legat coverage for the contiguous Gulf States, the countries of the United Arab Emirates (UAE), Kuwait, Oman, Yemen, Bahrain, and Qatar were reassigned to the Legat. Legat personnel operated in a potentially hostile environment due to the known terrorists organizations which had ties throughout the Gulf Region. There was an on-board compliment of one Legat, one ALAT, and one Office Assistant (OA). Management and operations were effective and efficient, however, reasonable and measurable goals and objectives had not been documented. Adequate training was afforded host countries' law enforcement entities and Legat personnel. Outside contacts with 32 representatives of law enforcement and American Embassies throughout the Gulf Region confirmed a strong working relationship with the Legat and staff. Legat Bassem Youssef had established excellent liaison with the Mabahith, the Saudi equivalent of the FBI and was responsible for the first visit by the Mabahith to the U.S. Embassy. Although the workload in Riyadh alone justified their presence full time, representatives throughout the Gulf Region believed that visits by the Legat and ALAT were too infrequent. By agreement with the U.S. Ambassador and [REDACTED] the Legat did not [REDACTED] investigative programs were ranked as follows: NFIP-IT, WCCP, and VCMOP. The Legat did not conduct any investigations in the NIPCIP, DOMTERR Program, CRP, and the OC/DP. The nature and scope of U.S. based crime problems, with their nexus to the Gulf Region were terrorism matters, due to supporters of Usama Bin Laden throughout the region. The Legat's primary investigative focus had been directed towards the solution of the Khobar Towers bombing. Additionally, based upon Bin Laden's reported involvement in the planning of the East Africa bombings, the Legat had been preoccupied with Bin Laden's current status and whereabouts. Although all funds were accounted for, a deficiency was noted in the Field Support Account (FSA).

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## EXECUTIVE MANAGEMENT

Legat Youssef opened Legat, Riyadh, on 02/28/1997, and served as the Legat throughout the inspection period. He was initially responsible only for Saudi Arabia, but soon recognized the need for continuity in Legat coverage for the contiguous Gulf States, including the UAE, Kuwait, Oman, Yemen, Bahrain, and Qatar. As a result of his insights and initiative, these countries were reassigned from Legat, Rome, to Legat, Riyadh. Prior to his assignment in Riyadh, Legat Youssef served as an SA in the St. Louis and Los Angeles Divisions, where he specialized in terrorism matters. He served in a TDY capacity in Rome, Brussels, and Paris, which assisted in preparing him for this assignment. Legat Youssef directly supervised an ALAT and an OA, and was responsible for the development of liaison with government, intelligence, and law enforcement entities within the Legat territory. He was successful in establishing an excellent relationship with the Mabathith, the Saudi Arabian counterpart of the FBI. Of particular significance, was the unprecedented visit to the U.S. Embassy by the Director of Liaison for the Mabathith, at the invitation of Legat Youssef. This was accomplished within three months of assuming his post. His efforts led to the establishment of direct communications with senior officials of the Mabathith, which had previously been unavailable to any U.S. Embassy personnel. He developed an organizational structure for the office, established administrative and operational controls and procedures, and provided adequate administrative oversight and direction to the other assigned personnel. He provided guidance and training to the numerous TDY SAs assigned to the office, as well as to the newly assigned ALAT. He was a member of the Emergency Action Committee and the Counterintelligence Working Group, and also attended weekly staff meetings and Country Team meetings. The Legat or ALAT attended bi-monthly Force Protection meetings to discuss issues concerning the security of armed forces personnel. His Arabic language ability greatly enhanced his effectiveness in dealing with officials of host countries in the Legat territory. Ambassador Wyche Fowler called Legat Youssef a superior representative for the FBI, and noted that he was "just the right man" for this position. The Deputy Chief of Mission in Riyadh, Albert Thibault, Jr., stated that Legat Youssef had done a great job, possessed excellent interpersonal skills, and was very reasonable. His subordinates described him as having an open-door policy, and as a responsive and hands-on manager.

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countries. In particular, relations with embassy personnel in Yemen were found to be strained and ineffective as the result of the lack of a presence by Legat personnel. The inspection further noted that operations would have benefited from a division of responsibilities between the Legat and ALAT. The inspection noted some difficulties experienced by the Legat were the result of overextension of geographic responsibilities, and operations would have benefitted by reassignment of certain countries to other Legats. The inspection noted operations would have benefitted from visits to the embassies in the Legat territory by FBIHQ personnel. While FBIHQ personnel had visited Riyadh, Saudi Arabia, these visits were related to specific case matters, including the KHOBOMB investigation, and were not related to a review of Legat operations. The Inspector made recommendations regarding these matters to the Legat, Riyadh, and Investigative Support Division (ISD-HQ).

The inspection found that the efficiency of the Legat operations was adversely affected by inadequate office space which was not located in a Controlled Access Area (CAA). Plans were underway to move to new space, but these efforts had taken an inordinate amount of time, and no date for relocation was scheduled at the time of the inspection. The Inspector recommended that the Legat and ISD-HQ aggressively pursue efforts to secure suitable office space for the Legat.

The inspection noted that a Technical Security Countermeasures (TSCM) inspection had not been conducted for over two years. One of the reasons cited for the delay was the anticipated move to new office space in a CAA. A TSCM inspection had been conducted in May 1999. The Inspector provided the Legat with a routing slip setting forth the need for annual TSCM inspections.

### LIAISON

The Legat established and maintained effective liaison with law enforcement entities for the purpose of supporting its investigative mission. Liaison contacts with each of the host countries were viewed as excellent. Liaison contacts within the local police and security forces were noteworthy in Saudi Arabia. By agreement with the U.S. Ambassador and [REDACTED] (S) A the Legat, Riyadh, [REDACTED] (S) in host countries during the inspection period.

The liaison contacts were extensive and well documented. The Legat, Riyadh, maintained contact with law enforcement and security representatives within each of his assigned countries. Those contacts consisted of representatives from the Mabathith, Saudi Arabia; [REDACTED] C

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[REDACTED]  
[REDACTED]  
[REDACTED] The Legat's primary liaison contact was with the Mabathith and the NASS in Riyadh, Saudi Arabia. The Legat, Riyadh, had limited contact with the [REDACTED] (S) C

[REDACTED] This was determined to be the [REDACTED]

[REDACTED] The Legat, Riyadh, offered training to each of the police and security organizations within its territory. Law enforcement officials from Bahrain, Kuwait, Oman, and Saudi Arabia received training from the Legat office, consisting of counterterrorism, WCC, money laundering, major case management, and interview and interrogation.

Representatives from various police forces confirmed that a positive working relationship existed with Legat, Riyadh. The Mabathith cited several instances in which investigative assistance had been rendered by Legat, Riyadh. Major General Abdul Aziz Al-Huwairini, Director of Liaison, Mabathith, indicated that the FBI was the only western law enforcement agency having direct liaison with his office, and characterized the relationship with the FBI as exceptional. As a result of the Khobar Towers bombing, the relationship between the FBI and Mabathith improved tremendously. General Al-Huwairini commented that the Minister of the Interior had instructed him to cooperate fully with the Legat office.

The Director of Liaison for the Government of Oman stated that the level of cooperation between Legat, Riyadh, and his government was excellent, and that his government would like to establish direct contact with the Legat, rather than having to interface with the RSO. The Undersecretary of the Ministry of Interior, UAE, also expressed a preference to have direct contact with the FBI. He commented that the FBI did a very good job in the region.

Sheikh Mashal Al-Jarrah Al Sabbaah, Director of the KSS, characterized his relationship with the FBI as "strong" and "built on mutual trust." The Sheikh referred to the Legat as one of his trusted advisors, which he defined as a cadre of people that he felt comfortable to consult with on numerous matters. The Sheikh considered the FBI to be partners with the KSS. He prominently displayed a photograph of himself, the Minister of the Interior Mohammed Al-Sabaah and Director Freeh.

Lieutenant Colonel Saad Mohannini of the Qatari SSI described the relationship between the SSI and the Legat, Riyadh, as excellent. He noted that Legat, Riyadh, had arranged for two officers from the SSI to attend the NA, but they were unable to pass the physical

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EXHIBIT 3

2000 PERFORMANCE APPRAISAL REPORT  
FOR BASSEM YOUSSEF

## Performance Appraisal Report - Cover Page

[See Instructional Page of FD-728 - Cover Page]

1. Payroll Name of Employee Bassem Youssef	2. Social Security Number
3. Position Title, Grade and Number Supervisory Special Agent (Legat)	4. Office of Assignment and Cost Code Legat Riyadh
5. General Nature of Assignment Legal Attache	

6. Summary Rating Exceptional

7. \_\_\_\_\_ Acting Unit Chief Walter F. Smith 4/10/00  
Signature of Rating Official Name (Typed or Printed) Date

I have reviewed and approved this appraisal. ( ) See my comments attached.

Signature of Reviewing Official \_\_\_\_\_ Section Chief Thomas C. Knowles \_\_\_\_\_  
Name (Typed or Printed) \_\_\_\_\_ Date: 4/11/00

I am aware that a rating of less than Fully Successful (FS) on any critical element may preclude me from consideration for promotion and/or transfer. In addition, I am aware that my Summary Rating, if below the FS level, will preclude my consideration for a within-grade increase and that a Summary Rating of Unacceptable may be the basis for my reassignment, reduction in grade, or removal. My signature only indicates that I have reviewed this appraisal, not that I am necessarily in agreement with the information herein or that I am relinquishing my right to request reconsideration of it.

9. \_\_\_\_\_  
Signature of Employee

\_\_\_\_\_ 5/3/2000  
Date Presented for Signature

<b>10. Basis/Reason for Issuance</b> A <input checked="" type="checkbox"/> End of Annual Period  T <input type="checkbox"/> Position Change      Date _____  N <input type="checkbox"/> Current Appraisal      Date _____  Q <input type="checkbox"/> Requested by FBIHQ      Date _____  D <input type="checkbox"/> Conclusion of Detail      Date _____  W <input type="checkbox"/> Unacceptable - Warning      Date _____  F <input type="checkbox"/> Warning Resolution      Date _____	<b>11. Field/FBIHQ Division Use</b> <b>Entered Into BPMS -</b>  By _____ (Initials)  On _____ (Date)  Date of Plan _____	<b>PRAU USE ONLY</b>  Logged _____ Reviewed _____ Entered _____ Verified _____ Printout _____
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ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 2/22/03 BY 60321/UCBA



## Performance Appraisal Report - Narrative Page

[See Instructional Page of FD-728b - Narrative Page]

1. Payroll Name of Employee

Bassem Youssef

2. Social Security Number

3. Critical Element # 1. (Include specific examples of positive/negative performance. Such examples should include references to particular assignments, dates, time frames, and quality of work.)

## Management of Liaison Program:

During the rating period, LEGAT Youssef has continued to build strong liaison with the Saudi Mabahith, which was initiated by LEGAT upon the official establishment of the Legat Office in 1997. This has resulted in the Mabahith extending a second invitation, in April 1999, for the WFO KHOBOMB team to conduct the highly controversial and nearly impossible access [REDACTED] to the KHOBOMB suspects detained in Saudi Arabia. Prior to Director Freeh's visit, LEGAT Youssef was tasked to approach the Mabahith in an effort to determine whether or not the Saudi Government would be willing to grant the FBI direct access (face to face interview) to two (2) of the KHOBOMB detainees. LEGAT was able to receive an unofficial okay from Prince Naif Bin Abdul Aziz, Saudi Arabia's Minister Of Interior (MOI). This was followed by Director Freeh's visit to Saudi Arabia on February 20, 2000. This visit was characterized by the Director as a "highly successful" visit. LEGAT Youssef was able to facilitate meetings with the King, Crown Prince, and the Minister of Interior, which were all highly successful meetings.

On March 1, 2000, LEGAT Youssef coordinated the unprecedented meeting between Director Freeh and Prince Mohammad Bin Naif, Assistant MOI. During that meeting, Prince Mohammad carried a message from his father (Prince Naif) advising that the Saudi Government has agreed to grant the FBI direct face to face interviews of not just two (2) of the detainees, but all six (6). Granting the FBI such a request is directly related to the exceptionally strong liaison affected by LEGAT Youssef.

LEGAT Youssef has continued to build and nurture strong liaison with other key foreign law enforcement officials in the Gulf region. Director of the Kuwait State Security (KSS), Director of the Kuwait Criminal Investigative Directorate (CID), Directors of the Omani Internal Security Service (ISS) and Royal Oman Police (ROP), Director General of the Dubai Police, Director of the Bahrain Security and Intelligence Service (BSIS), and Bahrain CID, to name a few.

Riyadh's Inspection report has mentioned that "In addition to establishing excellent relationship with the Saudi Mabahith, LEGAT Youssef developed an impressive liaison base of prominent law enforcement officials in the Legat territory."

EXHIBIT 4

JANUARY 7, 2007  
PERFORMANCE APPRAISAL REPORT FOR  
BASSEM YOUSSEF

Federal Bureau of Investigation  
Performance Appraisal System — Special Agent and Support Personnel  
Performance Appraisal Report — Cover Page


See Instructional Page of [ ] — Cover Page

1. Payroll Name of Employee Bassem Youssef	2. Social Security Number
3. Position Title, Grade and Number Unit Chief GS-15	4. Office of Assignment and Cost Code Communications Analysis Unit / 1327
5. Type of Appraisal: A <input checked="" type="checkbox"/> Annual Date: 12/29/2006 N <input type="checkbox"/> Interim Date: _____	6. Summary Rating: <input type="checkbox"/> Unacceptable <input type="checkbox"/> Minimally Successful <input type="checkbox"/> Successful <input checked="" type="checkbox"/> Excellent <input type="checkbox"/> Outstanding

7.  Signature of Rating Official

Name (Typed or Printed)

Date

8.  Signature of Reviewing Official

Name (Typed or Printed)

Date

I am aware that a rating of Unacceptable will preclude me from consideration for promotion, transfer, and/or a within-grade increase and may be the basis for my reassignment, reduction in grade, or removal. My signature only indicates that I have reviewed this appraisal, not that I am necessarily in agreement with the information herein or that I am relinquishing my right to request reconsideration of it.

9. \_\_\_\_\_  
Signature of Employee

Date

10. Field/FBIHQ Division Use — Entered into BPMS By: _____ (Initials) On: _____ (Date) Date of Plan: _____ Plan Renewal Date: _____	PRAU USE ONLY: Logged: _____ Reviewed: _____ Entered: _____ Verified: _____
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EMPLOYEE'S PERSONNEL FILE NUMBER: 067-0891648

Federal Bureau of Investigation  
Performance Appraisal System — Special Agent and Support Personnel  
Performance Appraisal Report — Evaluation Page

Payroll Name of Employee

Gassem Youssef

2. Social Security Number

Critical Element	Rating Level				
	Unacceptable	Minimally Successful (2)	Successful (3)	Excellent (4)	Outstanding (5)
Investigating, Decision Making, and Analyzing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Organizing, Planning, and Coordinating	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Relating with Others and Providing Professional Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Acquiring, Applying, and Sharing Job Knowledge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maintaining High Professional Standards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Communicating Orally and in Writing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Achieving Results	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Sum of Numeric Values: 27Number of Critical Elements: 6= 4.5

Federal Bureau of Investigation  
Performance Appraisal System — Special Agent and Support Personnel  
Performance Appraisal Report — Overall Summary Rating Narrative Page

1. Payroll Name of Employee Bassem Youssef	2. Social Security Number [REDACTED]
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Overall Summary Rating Narrative:

Unit Chief (UC) Bassem Youssef has performed in an overall excellent manner. His decision making, oral communication and ability to maintain a high level of professionalism during extreme operational circumstances have been outstanding. UC Youssef is the senior UC in the Section and handles the Section's Front Office duties in the absence of the Section Chief and Assistant Section Chief. When called upon, he has handled these duties with a high level of responsiveness and professionalism.

**EXHIBIT 5**

**JOSEPH BILLY EMAIL TO BASSEM YOUSSEF  
JANUARY 31, 2007**

**YOUSSEF, BASSEM (CTD) (FBI)**

---

**From:** YOUSSEF, BASSEM (CTD) (FBI)  
**Sent:** Thursday, February 01, 2007 6:59 AM  
**To:** BILLY, JOSEPH (CTD) (FBI)  
**Cc:** FRAHM, CHARLES E (CTD) (FBI)  
**Subject:** RE: Subpoenas for telephone number requests connected to DT investigations

**SENSITIVE BUT UNCLASSIFIED**  
**NON-RECORD**

Thank you for the very kind and encouraging words. We will always try our best to serve and make a difference. God bless you in all you do.

*Regards,*

*Bassem Youssef*  
*Chief*  
*Communications Analysis Unit*  
*Communications Exploitation Section*  
*CTD*  
*(202)324-7187*

-----Original Message-----

**From:** BILLY, JOSEPH (CTD) (FBI)  
**Sent:** Wednesday, January 31, 2007 6:14 PM  
**To:** YOUSSEF, BASSEM (CTD) (FBI)  
**Cc:** FRAHM, CHARLES E (CTD) (FBI)  
**Subject:** FW: Subpoenas for telephone number requests connected to DT investigations

**SENSITIVE BUT UNCLASSIFIED**  
**NON-RECORD**

Bassem- thankyou for all your efforts to ensure CTD is totally compliant. I very much appreciate all you are doing.

Joe

EXHIBIT 6

BASSEM YOUSSEF HOUSE SUBCOMMITTEE  
TESTIMONY LETTER





U.S. Department of Justice  
Federal Bureau of Investigation

Washington, D. C. 20535-0001

May 13, 2008

Stephen Kohn, Esq.  
3233 P Street, NW  
Washington, D.C. 20007-2756

Re: Testimony before the House Subcommittee on Crime,  
Terrorism, and Homeland Security

Dear Mr. Kohn,

This letter is in response to your May 12, 2008, request for approval for your client, Bassem Youssef, to speak before the House Subcommittee on Crime, Terrorism, and Homeland Security, on May 21, 2008, pursuant to the Federal Bureau of Investigation's (FBI) Prepublication Review Policy (PRP) (Manual of Administrative Operations and Procedures, Part I, 1-24).

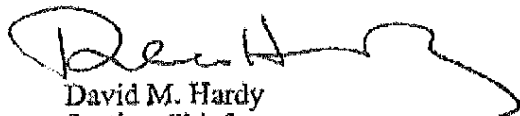
Your request to testify is formally approved. However, please be advised that any discussion of matters relating to your period of employment with the FBI may involve pending cases, grand jury, classified, and other information, the disclosure of which could violate criminal laws or Department of Justice or FBI policy. In addition, please be advised that the FBI will not approve the disclosure of:

- A. Information protected from agency disclosure by the Privacy Act;
- B. Information that is classified or the disclosure of which could otherwise harm national security;
- C. Information that reveals sensitive law enforcement, intelligence, or counterintelligence techniques, sources or methods; or that reveals the sensitive, confidential, or proprietary techniques, sources, or methods of other agencies or governmental entities;
- D. Information that would reveal grand jury material protected from disclosure by Rule 6(e) of the Federal Rules of Criminal Procedure;
- E. Information that would reveal the identity of a confidential source or informant;
- F. Information that relates to any sensitive operational details or the substantive merits of any ongoing or open investigation, inquest, probe, prosecution, appeal, or case;

- G. Information that consists of the proprietary information of another, including trade secrets;
- H. Information pertaining to wiretaps or intercepts protected or regulated by Title III (Title 18, U.S.C., Sections 2510-2520);
- I. Information pertaining to currency transaction reports regulated or protected by Title 31, U.S.C., Section 5319;
- J. Tax return information regulated or protected by Title 26, U.S.C., Section 6103;
- K. Information pertaining to contractor bids or proposals or source-selection information before the award of the procurement contract to which the information relates;
- L. Information protected from disclosure by any other federal statute or regulation; or,
- M. Information exempt from disclosure under the Freedom of Information Act (Title 5, U.S.C. Section 552) unless the material is clearly already in the public domain." (MAOP, Part I, 1-24(5)(a)1.)

Should you have any questions, please contact Kay Williams at (202) 324-5518.

Sincerely,



David M. Hardy  
Section Chief  
Record/Information  
Dissemination Section (RIDS)  
Records Management Division (RMD)